

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

* * * * * C.R. NO. 19-112-JJM
UNITED STATES OF AMERICA *
VS. * OCTOBER 3, 2019
RONALD W. ZENGA *
* * * * * PROVIDENCE, RI

BEFORE THE HONORABLE LINCOLN D. ALMOND,
MAGISTRATE JUDGE

(Arraignment)

APPEARANCES:

FOR THE GOVERNMENT: JOHN P. McADAMS, AUSA
U.S. Attorney's Office
50 Kennedy Plaza
Providence, RI 02903

FOR THE DEFENDANT: JOHN E. MacDONALD, ESQ.
Law Office of John E. MacDonald
One Turks Head Place Suite 1440
Providence, RI 02903

1 03 OCTOBER 2019 -- 11:30 A.M.

2 THE COURT: All right. We are on the record in
3 the matter of the United States of America versus
4 Ronald W. Zenga, Criminal Case Number 19-112.

5 Can the attorneys present for this proceeding
6 identify themselves for the record, please.

7 MR. McADAMS: Good morning, your Honor. John
8 McAdams on behalf of the United States.

9 MR. MacDONALD: Good morning, your Honor. John
10 MacDonald for Mr. Zenga.

11 THE COURT: All right. So we're before the
12 Court today for an arraignment on an Indictment.
13 Mr. MacDonald, I assume you've had a chance to go over
14 the Indictment and explain to Mr. Zenga what he's been
15 charged with.

16 MR. MacDONALD: I have, your Honor.

17 THE COURT: All right. You can have a seat for
18 a second, Mr. MacDonald.

19 Just so the record is clear, what I'd like for
20 the Government to do is just -- I didn't quite -- the
21 Indictment as to Counts I through III charges
22 enticement of a minor to engage in illicit sexual
23 activity.

24 What were the communications that are the
25 subject -- it refers to a communication June, August

1 and October. I'm not looking for the substance of it
2 or anything that would reveal any details, but was it
3 an e-mail?

4 What was the nature of the communication just so
5 that it's clear that the Defendant's on notice as to
6 what the charge is?

7 MR. McADAMS: So these occur on three different
8 dates, three different on or about dates. These are
9 incidents in which the Defendant used the internet to
10 entice and coerce a minor victim to engage in sexually
11 explicit activity, to wit, showing child pornography
12 and adult pornography as a part of the grooming process
13 that preceded --

14 THE COURT: All right.

15 MR. McADAMS: -- contact sexual abuse.

16 THE COURT: That's sufficient. I understand now
17 what the basis is.

18 All right. Mr. Zenga, if you can stand up with
19 counsel. I want to remind you we are on the record and
20 you have the right to remain silent. Do you understand
21 that, sir?

22 THE DEFENDANT: Yes, your Honor.

23 THE COURT: I also want you to be aware that if
24 you do make any statements, they will be used against
25 you in the future. Do you understand that?

1 THE DEFENDANT: Yes, your Honor.

2 THE COURT: Since you last appeared before the
3 Court, the Government has presented this case to the
4 grand jury, and the grand jury has returned an
5 Indictment charging you with eight felony offenses.

6 I'm going to summarize those offenses. I'm not
7 going to read the totality of the Indictment into the
8 record due to its length, but I do want to confirm with
9 you that you've seen a copy of this Indictment and
10 you've been able to go over it with your attorney,
11 Mr. MacDonald.

12 THE DEFENDANT: That's correct, your Honor, I
13 did.

14 THE COURT: Has he explained to you what you've
15 been charged with?

16 THE DEFENDANT: Yes, your Honor.

17 THE COURT: Now, Counts I through III of the
18 Indictment charge you with the offense of enticement or
19 coercion of a minor to engage in illicit sexual
20 activity in violation of Title 18 of the United States
21 Code, Section 2422(b). Count I alleges that activity
22 took place in June of 2018; Count II, August of 2018;
23 and Count III, October of 2018.

24 Count IV of the Indictment charges the offense
25 of transportation of a minor with the intent to engage

1 in illicit sexual activity in violation of Title 18 of
2 the United States Code, Section 2423(a).

3 It's alleged that this took place in or about
4 April of 2017 and elsewhere and involved transporting a
5 minor victim under the age of 18 in interstate or
6 foreign travel or commerce from Rhode Island to Texas,
7 Florida and Cuba for illicit purposes.

8 Count V charges interstate travel with intent to
9 engage in illicit sexual conduct. It involves that
10 same April of 2017 travel. It's alleged to be a
11 violation of Title 18 of the United States Code,
12 Sections 2423(b), (e) and (f).

13 Count VI charges a count of distribution of
14 child pornography on or about September 29th of 2018 in
15 violation of Title 18 of the United States Code,
16 Sections 2252(a)(2) and (b)(1).

17 Count VII charges receipt of child pornography
18 on or about October 10th of 2018 in violation of
19 18 United States Code, Sections 2252(a)(2) and (b)(1).

20 And then Count VIII charges possession of child
21 pornography from at least the fall of 2016 through on
22 or about October 17th, 2018, which I believe was the
23 date of your arrest in this matter, in violation of
24 Title 18 of the United States Code, Sections 2252(a)(4)
25 and (b)(2).

1 Sir, do you understand what you've been charged
2 with in this Indictment?

3 THE DEFENDANT: Yes, your Honor, I do.

4 THE COURT: Mr. MacDonald, how does your client
5 plead to all of those charges, sir?

6 MR. MacDONALD: Not guilty.

7 THE COURT: All right. I'll accept and enter
8 pleas of not guilty to each count contained in the
9 Indictment.

10 You can have a seat, Mr. Zenga.

11 Mr. MacDonald, after receiving further discovery
12 from the Government in this matter, would you request a
13 60-day period of excludable time to prepare and file
14 any appropriate pretrial motions?

15 MR. MacDONALD: Yes, your Honor.

16 THE COURT: I'll grant that request, and I will
17 also order that the period of time from October 25th of
18 2019 up to and including December 24th of 2019 be
19 deemed excludable time under the Speedy Trial Act for
20 the purpose of filing any such motions.

21 All motions shall be filed by December 24th,
22 2019. Any opposition shall be filed in the timeline
23 required by the local rules.

24 Mr. Zenga, this case has been randomly assigned
25 for trial to District Judge John J. McConnell, Jr., of

1 this Court and will be placed on his trial calendar at
2 the appropriate time.

3 I did order the Defendant detained at his
4 initial appearance. He is charged with offenses which
5 trigger a presumption of pretrial detention. The
6 Defendant did not present bail arguments, so I found
7 that he had not rebutted that presumption and I ordered
8 him detained as a risk of flight and danger to the
9 community based upon the nature and severity of these
10 charged offenses.

11 Does the defense wish to present a bail argument
12 today, Mr. MacDonald?

13 MR. MacDONALD: No, your Honor.

14 THE COURT: Then I continue my prior detention
15 order in this matter. Is there anything further we
16 should address today from the Government's perspective?

17 MR. McADAMS: No, your Honor. Thank you.

18 THE COURT: Anything further from the defense
19 today?

20 MR. MacDONALD: No, your Honor. Thank you.

21 THE COURT: So I order the Defendant remain
22 detained on this pending federal Indictment. Court
23 will be in recess.

24 (Adjourned)

25

C E R T I F I C A T I O N

I, Karen M. Wischnowsky, RPR-RMR-CRR, do
hereby certify that the foregoing pages is a correct
transcript from the official digital sound recording of
the proceedings in the above-entitled matter.

/s/ Karen M. Wischnowsky

January 19, 2023

Date